Remarks/Arguments

Claims 17-39 are pending.

Claims 17-39 stand finally rejected.

No amendments have been made to the claims.

Rejection of claims 17-22, 27-33 and 35-39 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,923,362 (Klosterman) in view of U.S. Patent No. 6,002,394 (Schein) and U.S. Patent No. 6,253,188 (Witek)

Applicants submit that for the reasons discussed below present claims 17-22, 27-33, and 35-39 are patentably distinguishable over the teachings of Klosterman, Schein and Witek.

As to independent claim 17, it is respectfully submitted that the combination of references proposed by the Examiner fails to teach the limitation "converting said first code to a second code in accordance with equivalence mapping information for allocating a category in a master set of program categories to said received program category." In particular, none of the references teaches mapping between a category in a master set of program categories to a received program category.

The Examiner concedes that the combination of Klosterman and Schein does not teach converting a program category to an equivalent program category via a master set of program categories (Office Action, page 4). The Examiner then characterizes Witek as disclosing an automated internet classified system which receives classified ads from newspapers which may categorize listings in different forms, the listings are retrieved and then converted to a master set of categories prior to display. The Examiner stated, on page 4 of the Office Action of November 21, 2003, that Witek discloses an online classifieds system in which information in different formats from a number of different providers is retrieved and converted into a master set of categories. The Examiner further stated that Witek inherently uses a code map, or equivalence lookup table in order to be able to convert classifieds information categories from a number of different providers, for sorting the classifieds information, otherwise the master set of listings would have data improperly presented to the user.

It is respectfully submitted that Witek does not receive classified ads from newspapers which may categorize listings in different forms, or convert from one set of categories to a master set of categories prior to display. The system of Witek receives classified ad information from each newspaper in text form, and employs a parsing program to convert the text information into data suitable for uploading into a database for that particular newspaper. Witek states, at col. 7, lines 5-15:

> Specifically, the system includes a parser located at each of the regional newspapers for receiving a feed of proposed classified ad text together with overhead information. Once initialized with data including configuration and ad text recognition information specific to a respective newspaper, the respective parser establishes a set of processing tables for the specific newspaper and compares the ad text to the tables in accordance with predetermined parsing rules to convert the ads operative terms into a set of standard field values which the parser uses to create a substantially numeric database record information.

Thus, the data is converted from text to a set of standard field values in accordance with predetermined parsing rules. The text that is input into the parser does not include categories. Accordingly, this portion of Witek does not disclose mapping from one set of categories to a master set of categories.

Moreover, in the system of Witek, each newspaper's database is independent, as each newspaper's database is intended to be searched separately by the readers of that newspaper. Thus, there is no disclosure, implicit or inherent, of mapping between categories of one newspaper database and the categories of another newspaper database. Witek makes it clear that there is a separate database for each newspaper: "Each regional newspaper maintains an Internet Web site having a home page listing its classified ad service and a Hypertext Markup Language (HTML) linking to a central, application Web server facility at which all the respective regional newspaper classified ad databases for the system are kept." (col. 6, lines 4-9). The use of a separate database for each newspaper is further reinforced at col. 9, lines 57-59: "each of the two database servers 20 are the same and include an ad record database for each of the newspapers 1 to M carried by system 10." Thus, there is a separate ad record database for each newspaper 1 to M.

Witek further makes clear that the user searches only the database of one newspaper. The user connects to the home page of one newspaper, and is connected from that home page to the database of classified ads of that newspaper. Witek further explains:

> In operation, users interested in viewing the classified ads of a particular regional newspaper anywhere in the world connect to the Internet in conventional fashion and navigate with their Web browser to the newspaper's home page. On arrival, the user selects the classified service from the newspaper's home page and undertakes a two-part record search process. In accordance with the invention, the two-part search process includes a first phase in which the user navigates in Web fashion to a category menu at the newspaper Web site, where the user enters a record-narrowing, pre-selection subject-matter designation, followed by a navigation to a subcategory menu at the system application server where the user can enter a further subject-matter designation to additionally narrow the range of records to be reviewed. Additionally the search procedure includes a second search phase in which a record-request message is generated based on ad selection parameters entered by the user, the request message being submitted to the ad database for retrieval of the desired records which are subsequently reported to the user. (col. 6, lines 13-33).

While Witek does disclose the use of a look-up table, that look-up table is provided for mapping between verbal descriptors and numerical categories, not for mapping between different categories in different databases:

> As will be appreciated, the respective newspapers may want to use category and subcategory descriptions of their own choosing to accommodate regional requirements or preferences. In such case, all that is needed are suitable lookup tables to relate the various descriptions presented in the search menus with the numerical coding used by the respective databases. (col. 18, lines 43-49).

Thus, for the reasons explained above, Witek does not disclose "an automated internet classified system which receives classified ads from newspapers which may categorize listings in different forms, the listings are retrieved and then converted to a master set of categories prior to display" or "an

online classifieds system in which information in different formats from a number of different providers is retrieved and converted into a master set of categories."

Furthermore, one of ordinary skill in the art would not be motivated to modify Klosterman or Schein in view of Witek. As explained, Witek does not disclose a single database containing information from different databases. Rather, Witek discloses a system in which a separate database is provided for each source, i.e., for each newspaper. Thus, Witek fails to suggest or teach sorting or merging information from first and second sources. Rather than being merged, in Witek, the information remains segregated by source.

Furthermore, in view of the disparate subject matter of Witek, which deals with classified advertising, as compared to Klosterman and Schein, which relate to electronic program guides, Witek is directed to providing classified ads over the Internet (Witek, Abstract). One of ordinary skill in the art, seeking to improve Klosterman, would not look to Witek, and, furthermore, Witek is non-analogous art to Klosterman. Klosterman is directed to merging television schedule information received from multiple sources such as a cable box, an integrated receiving decoder, and a television antenna (Klosterman, Abstract and FIG. 1). Further in contrast to Witek, Schein is directed to providing television schedule information to a viewer, and for allowing the viewer to link, search, select and interact with information in a remote database (Schein, Abstract). The present invention is directed to "collating data from multiple sources to form a composite program guide for display" (Applicants' specification, Title). Accordingly, while Klosterman and Schein share the exact same International Classification and many of the same United States Classifications and Field of Search classifications, they do not share even one such United States Classification, International Classification, and/or Field of Search classification with Witek. For example, both Klosterman and Schein share the same International Classification, namely H04N 7/10. Moreover, both Klosterman and Schein share the same United States Classifications, namely 348/12 and 348/13. Further, both Klosterman and Schein share the same Field of Search classifications, namely 348/6, 348/7, 348/12, 348/13, 348/906, and 455/5.1. However, Witek does not have even one single

classification (International Class, United States Class, and/or Field of Search) in common with Klosterman or Schein.

In support of his argument that the references are analogous art and that a motivation or suggestion exists to modify the references to obtain the present invention, the Examiner has stated in the Office Action that "Witek discloses a system that is directed to collating listings (database entries) from different sources, and converting the category of each listing to a common category." The Examiner then concludes that "[a]ll three references utilize database systems and are thus analogous art". For the reasons set forth above, Witek does not disclose collating database entries from different sources, and converting the category of each listing to a common category. Thus, the Examiner's rationale for stating that the three references are analogous art is erroneous. Furthermore, the mere fact that all of the references relate to databases neither renders the references analogous art nor provides a motivation or suggestion to modify and combine the same to obtain the present invention. Databases are ubiquitous in connection with data processing. Their very ubiquity means that the use of databases crosses between non-analogous fields. The mere fact that databases are employed in both fields, does not imply that one of ordinary skill working in the field of television program scheduling would look to classified ads.

To illustrate the differences further, television schedule information does not even relate to the same type of information encompassed by classified ads. For example, while television schedule information specifies, e.g., a name of a television program, actors/actresses in the program, a time that the program is to begin, a parental guide rating, and so forth. In contrast, classified ads relate to, e.g., employment opportunities, items for sale such as cars, and so forth.

For at least the foregoing reasons, claim 17 is allowable over the prior art of record.

Claims 18-20 depend from claim 17, and are allowable for the reasons that claim 17 is allowable.

Claim 21 is an independent claim reciting, inter alia,

"incorporating into the composite program map linking data that associates access data with data identifiers and user selectable menu options;" and

"merging the program guide information from the plurality of sources into a composite program guide defined by the themes and topics of the master set, using the composite program map."

The rejection is traversed for at least the following reasons.

The Examiner has conceded that the combination of Klosterman and Schein does not teach the use of a master set of categories by which the categories are merged (Office Action, page 6). The Examiner characterizes Witek as disclosing an automated internet classified system which receives classified ads from newspapers which may categorize listings in different forms, the listings are retrieved and then converted to a master set of categories prior to display, thus facilitating uniformity among records for common subject matter and making it easier to find desired content (Office Action, page 7). As explained above in connection with claim 17, Witek does not merge information from various sources. Rather, each newspaper has a separate database in Witek.

Furthermore, as discussed above in connection with claim 17, the disparate subject matter of Witek, on the one hand, and Klosterman and Schein, on the other, negates any suggestion to modify Klosterman in view of Witek, and further renders Witek non-analogous art as to Klosterman and Schein.

For at least the foregoing reasons, claim 21 is allowable over the prior art of record.

Claims 22, 27-33 and 35-39 depend from claim 21, and are allowable for the reasons that claim 21 is allowable.

Rejection of Claims 23-26 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,923,362 to Klosterman in view of U.S. Patent No. 6,002,394 to Schein and U.S. Patent No. 6,253,188 to Witek in further view of U.S. Patent No. 6,147,713 to Terasawa.

Applicants submit that for the reasons discussed below present claims 23-26 are patentably distinguishable over the teachings of Klosterman, Schein, Witek and Terasawa.

The Examiner takes the position that Terasawa discloses that EPG data is multiplexed in an MPEG stream, a packet ID header is mapped to the data, this header is then sorted and the EPG data is retrieved and stored, referring to column 1, lines 16-27; column 3, line 66 – column 4, line 39; and column 14, line 66 to column 15, line 30.

As to claim 23, Terasawa does not teach EPG data that is formed to be compatible with a Motion Picture Experts Group (MPEG) standard. As can clearly be seen from column 3, line 66, to column 4, line 40, and associated Fig. 1, EPG data is generated at EPG data generating device 310, which is then output to a multiplexor 304, without being subject to MPEG encoding. By contrast, audio and video data is MPEG encoded at MPEG VIDEO/AUDIO ENCODER BLOCKs 303-1 to 303-7. The term "compatible with a Motion Picture Experts Group (MPEG) standard" clearly means that the data is capable of MPEG encoding, and not merely that the data may be multiplexed with MPEG encoded data. For this reason, as well as the reasons set forth above in connection with claim 21, claim 23 is allowable over the prior art of record.

Claims 24-26 depend from claim 23, and are allowable for the reasons that claim 23 is allowable.

Rejection of Claim 34 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,923,362 to Klosterman in view of U.S. Patent No. 6,002,394 to Schein and U.S. Patent No. 6,253,188 to Witek in further view of U.S. Patent No. 5,883,677, to Hofmann.

Applicants submit that for the reasons discussed below present claim 34 is patentably distinguishable over the teachings of Klosterman, Schein, Witek and Hofmann.

The Examiner takes the position that Hofman discloses in Fig. 9a, a program guide that sorts and displays programs by source, for example CATV, Telcos and DBS, thus enabling a user to easily find a program of interest.

It is respectfully submitted that Hofmann fails to teach "a capability to allow a user to sort the program content shown in the composite program guide based on source" as recited in claim 35. In fact, Fig. 9A of Hofmann discloses the results of a search for all comedies showing on a particular date (col. 9, lines 12-13). The

search results happen to be displayed by source; however, a search by subject matter is not a teaching of permitting a user to sort program guide content based on source.

For at least the foregoing reason, as well as the reasons set forth above in connection with claim 21, claim 35 is allowable over the prior art of record.

CONCLUSION

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6823, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Please charge the $120.00 fee for the one-month Extension of Time, and any other fees that may be associated with the filing of this amendment, to Deposit Account no.: 07-0832.

Respectfully submitted,
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CERTIFICATE OF MAILING 37 C.F.R. § 1.8(a)

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October 19, 2005 — Patricia M. Fedorowycz
Date